

S.C.C. No.721/2023**Nuzhat Begam Vs. Shaikh Salim.****ORDER BELOW EXH.1**

1. Perused the complaint, verification statement of the complainant and written notes of argument at Exh.4. The present private complaint is filed under section 499, 500 and 509 of the I.P.C. Matter is at the stage of issue process order.

2. It is alleged by the complainant that S.C.C 575/2017, for offence punishable under section 354-C is pending against the accused in the Court of 3rd Jt. C.J.J.D Vaijapur. On 29/08/2023, at 04.00 pm the evidence of complainant's mother was recorded by the Court. The accused is conducting his case himself and was taking cross-examination of complainant's mother. In the course of cross-examination he asked the complainant's mother that as *"As your daughter has filed case of 354 of I.P.C didn't she feel ashamed ? And Aren't you feeling ashamed while giving the evidence ?"*. According to the complainant due to such question she felt ashamed in front of everyone present in the Court hall.

3. As per section 202 of the Cr.P.C., any Magistrate on receipt of complaint of which he is authorized to take cognizance.

a) may, if he thinks fit,

b) and shall in case where the accused is residing outside the jurisdiction of that Magistrate,

Handwritten signature and date 20/12/23.

4. Postponed the issue of process against the accused and either inquire into the case himself or direct police investigation, for deciding whether or not there is sufficient ground for proceeding.

5. Considering the facts of the present case. This Court is of the opinion that, a police investigation report is necessary to ascertain whether there is sufficient ground for proceeding against the accused. In the result, I proceed to pass following order;

ORDER

- 1] Call report of investigation under Section 202 of the Code of Criminal Procedure.
- 2] Police shall file report within 2 months from the date of receipt of letter.
- 3] Issue letter accordingly.

Vaijapur.
Date: 20/12/2023


(Smt. S. K. Khan)
Judicial Magistrate F.C., Vaijapur.
(Court No.02)